

USAWC STRATEGY RESEARCH PROJECT

DETAINEE/INTERROGATION OPERATIONS  
AND MILITARY INTELLIGENCE LEADERSHIP TRAINING

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## ABSTRACT

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Military Intelligence leadership training: Setting a stage for failure? The recommendations and lessons learned following detainee operations, such as those mentioned in the investigations of Abu Ghraib detainee abuses; note a need for specialists in detention and interrogation operations. This paper describes the historical basis for our detainee doctrine, reviews investigation findings, details the current conflicting policies, and analyzes the need for specialization of military intelligence officers and recommends improvements to ensure these types of issues are avoided in the future.



## TABLE OF CONTENTS

ABSTRACT.....	iii
DETAINEE/INTERROGATION OPERATIONS AND MILITARY INTELLIGENCE LEADERSHIP	
TRAINING.....	1
<b>HISTORICAL BASIS OF OUR DOCTRINE.....</b>	<b>1</b>
<b>INVESTIGATION FINDINGS .....</b>	<b>2</b>
<b>CONFLICTING POLICIES .....</b>	<b>3</b>
SPECIFIC GUIDELINES AND POLICY CHANGES.....	3
SPECIFIC DOCTRINE AND TACTICS, TECHNIQUES, AND PROCEDURES (TTP) .....	7
<b>Cross-Leveling of Units and Personnel.....</b>	<b>8</b>
<b>Major Training Events .....</b>	<b>8</b>
<b>ANALYSIS OF SPECIALIST VS GENERALIST .....</b>	<b>9</b>
MI OFFICER CAREER PATH.....	9
FUNCTIONAL AREA 34, STRATEGIC INTELLIGENCE.....	10
ANALYSIS - GENERALIST, S2, AND INTELLIGENCE DISCIPLINE SPECIALIST .....	10
HUMINT AND COUNTERINTELLIGENCE (CI) SPECIALIZATION .....	11
CULTURAL AWARENESS .....	12
<b>RECOMMENDATIONS.....</b>	<b>13</b>
<b>CONCLUSION .....</b>	<b>14</b>
ENDNOTES .....	15
BIBLIOGRAPHY .....	19



## DETAINEE/INTERROGATION OPERATIONS AND MILITARY INTELLIGENCE LEADERSHIP TRAINING

Recent allegations of abuse at US detention centers have sparked international debate over the detainee policies of the United States. Investigations into abuses carried out by US soldiers, US government employees and US contracted employees have revealed that there was confusion on the part of Army soldiers and contractors. The findings in multiple reports attribute the problems encountered to several causes including: lack of doctrine in detainee and interrogation operations, cross leveling of personnel into new units, and a lack of specialized training. The recommendations and lessons learned following detainee operations, such as those mentioned in the investigations of Abu Ghraib detainee abuses note a need for specialists in detention and interrogation operations.<sup>1</sup> While the investigations and findings include most aspects of detainee operations, this paper is limited primarily to those of the Military Intelligence (MI) Corps and will not address the findings related to the military police (MP) or those responsible for blatant criminal misconduct.

This paper will describe the historical basis for our detainee doctrine, review investigation findings, detail the current conflicting policies, and analyze the need for specialization of MI officers. By using the investigations into the Abu Ghraib scandal, this paper will demonstrate that a lack of specialized training of MI officers contributed to the misunderstanding of approved interrogation techniques and thus, the violations of policies. Finally, this paper will make recommendations to provide MI officers who are specialized in specific intelligence disciplines and operations that may prevent similar incidents in the future.

### **HISTORICAL BASIS OF OUR DOCTRINE**

The problem of just what to do with enemy captives has certainly plagued mankind since the advent of war. Various solutions have evolved with time. Pre-modern war captives were stripped of their status as fellow human beings and could be summarily executed, ransomed, enslaved or tortured. Evolutionary changes have occurred and modern limits have been articulated in such works as Montesquieu's *De l'esprit des lois*<sup>2</sup> and Rousseau's *The Social Contract*<sup>3</sup>. America refined guidance as early as the American Civil War in *The Lieber Code*<sup>4</sup> which outlined treatment for various categorized and defined captives. With each revision we find more humane treatment established.

The US has been a signatory and has actively endorsed these increasingly humane revisions as evidenced by its support to the Hague Peace Conference 1899; Hague Convention 1907; Geneva Convention Relative to the Treatment of Prisoners of War (POWs) 1929; Geneva Convention (I) for the Amelioration of the Wounded and Sick in Armed Forces in the Field of

12 August 1949; Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea of 12 August 1949; Geneva Convention (III) Relative to the Treatment of POWs of 12 August 1949; Geneva Convention (IV) Relative to the Treatment of Civilian Persons in Time of War of 12 August 1949; and Convention Against Torture 1985. Each document sets forth definitions of encountered persons, their rights and privileges, as well as the expected treatment by their captors. With all of these conventions outlining guidance on the treatment of persons captured during war, one would assume adequate doctrine would be developed and soldiers would be trained to prevent the violations that occurred during Operation Iraqi Freedom.

In addition to the documents describing the expectations of nation states there are also specific guidelines for the soldier. Army Regulation 190-8 *Enemy Prisoners of War, Retained Personnel, Civilian Internees and Other Detainees* and Field Manual 34-52 *Intelligence Interrogation* both provide guidance on humane treatment. Examples given in these regulations of prohibited physical torture include “any form of beating, food deprivation, forcing an individual to stand, sit or kneel for a prolonged period of time.”<sup>5</sup> Examples of prohibited mental torture include “abnormal sleep deprivation, mock executions, and chemical induced psychosis.”<sup>6</sup> Further examples of prohibited coercion include “threatening physical or mental abuse, threatening to withhold medical treatment, or threatening to deny rights guaranteed under the Geneva Convention.”<sup>7</sup> All soldiers, not just those in MP and MI branches underwent Geneva Conventions and Code of Conduct training upon deployment. They were trained on their responsibilities to treat prisoners humanely as well as the responsibility to report violations and/or unlawful orders. Granted this was a cursory refresher of four conventions (421 articles), but the objective of training these general responsibilities was consistently met. Undoubtedly the vast majority of American soldiers, if questioned, would say they treat all detainees humanely and that they act consistent with Army regulations and values; and, as the investigations have shown, the vast majority has.

## **INVESTIGATION FINDINGS**

Before the general public heard of the abuses at Abu Ghraib’s Joint Detainee Center, Department of Defense (DoD) was investigating the abuses. When the news broke in the Spring of 2004, many organizations within DoD had reviewed matters related to various aspects of abuse at DOD detention facilities. Some of those investigations included: Over 155 criminal investigations into individual allegations; Army Provost Marshal General assessment of detention and correction operations in Iraq; Joint Task Force Guantanamo assistance visit to



Iraq to assess intelligence operations; Administrative Investigation under Article 15-6 regarding Abu Ghraib operations; Army Inspector General assessment of doctrine and training for detention operations; Commander, Joint Task Force-7 review of activities of MI personnel at Abu Ghraib; Army Reserve Command Inspector General assessment of training of Reserve units regarding MI and MP; Naval Inspector General review of detention procedures at Guantanamo Bay, Cuba, and the Naval Consolidated Brig, Charleston, South Carolina. On 12 May 2004, the Secretary of Defense requested an independent panel review of DoD detention operations. Their findings were published in the "Final Report of the Independent Panel to Review DoD Detention Operations, August 2004" (*the Schlesinger report*).

This paper focuses primarily on the administrative investigations under Article 15-6; specifically the findings of Lieutenant General Anthony Jones, the Article 15-6 Investigating Officer of the Abu Ghraib Prison and the 205<sup>th</sup> MI Brigade and Major General George Fay, the Article 15-6 Investigating Officer on the MI unit at Abu Ghraib.

### **CONFLICTING POLICIES**

The investigations implied there were conflicting policies. For example Major General Fay stated in his 7<sup>th</sup> finding that "DoD's development of multiple policies on interrogation operations for use in different theaters of operations confused Army and civilian interrogators at Abu Ghraib."<sup>8</sup> The current, definitive US policies on the detention and treatment of "detainees" is not ambiguous enough to have caused this confusion but the exceptions granted to those policies permitted within one theater of operation were.

### **SPECIFIC GUIDELINES AND POLICY CHANGES**

The term "Non-Citizens" in Military Order No 1, issued by the US President on 13 November 2001 "Detention, Treatment, and Trial of certain Non-Citizens in the War Against Terrorism," seem to seek to turn back the clock in denying some captives a defined status. In this order, detention authority was given to the Secretary of Defense to hold at the location of his choosing any non-US citizen who is or was a member of Al Qaida or those who aided, abetted, conspired with, or intentionally harbored the members. However, irrespective of where they were to be held, or when and how they would be tried, the order also makes it clear that they were to be treated humanely. Excerpts from the document are as follows: "treated humanely, without any adverse distinction based on race, color, religion, gender, birth, wealth, or similar criteria;"<sup>9</sup> "Afforded adequate food drinking water, shelter, clothing and medical treatment;"<sup>10</sup> and, "Allowed the free exercise of religion consistent with the requirements of such

detention, and detained in accordance with such other conditions as the Secretary of Defense may prescribe.”

On 11 January 2002, the first US detainees from the Afghanistan conflict arrived in Guantanamo Naval Base, Cuba. On 19 January 2002, Secretary Rumsfeld sent a memorandum to the Joint Chiefs of Staff on the status of Taliban and Al Qaida prisoners. In it he states that the US determined neither group is “entitled to the prisoner of war status for purposes of Geneva Convention 1949.”<sup>11</sup> However, he goes on to order treating prisoners “humanely and, to the extent appropriate and consistent with military necessity, in a manner consistent with the principles of the Geneva Convention of 1949.”

In a draft memorandums (Alberto R. Gonzalas, Counsel to the President, advising the President of the United States on 25 January 2002 on the applicability of the Geneva Convention on POWs to the conflict with Al Qaeda and the Taliban, and Secretary Colin L. Powell's response the next day), we can see that at the national level some discussed the pros and cons of applying the Geneva Convention Relative to the Treatment of POWs of 12 August 1949. However, both documents outline the President's option to apply the standards even if he chooses to claim it does not legally apply. On 7 February 2002, President George W. Bush announced the same message through the White House Press Secretary. “The United States is treating and will continue to treat all individuals detained at Guantanamo humanely and, to the extent appropriate and consistent with military necessity, in a manner consistent with the principles of the Third Geneva Convention of 1949.”<sup>12</sup> In the President's message he stated that he determined the Geneva Convention did not apply to the Al Qaida detainees and he ruled the Taliban detainees are not entitled to prisoner of war status.

Again, it is highly improbable that the Army intelligence soldiers at Abu Ghraib would have had access to the President's background documents had the controversy not come to light. However, they may have had access to the White House Fact Sheet dated 7 February 2002. The Fact Sheet explains why the US President determined the Geneva Convention applied to the Taliban (not as POWs) but not to the Al Qaeda members (as non-state actors). Yet again it is clear in the document that the President intended humane treatment for all detainees regardless of their status. Specifically the Fact Sheet says “The detainees will not be subjected to physical or mental abuse or cruel treatment.”<sup>13</sup> The document states the only privileges that are normally afforded to POWs under the Geneva Convention Relative to the Treatment of POWs of 12 August 1949 that were be withheld for the Taliban and Al Qaeda are “access to a canteen to purchase food, soap, and tobacco, a monthly advance of pay, the ability to have and

consult personal financial accounts, and the ability to receive scientific equipment, musical instruments, or sports outfits.”<sup>14</sup>

On 4 October, *The Washington Times* reported that Defense sources said Major General Michael Dunlavey, commander of the MI operations (JTF-170), disagreed with Brigadier General Rick Baccus, commander of the military police operations (JTF-160), and stated “interrogators are being undermined by the general in charge of the prison, Army Brig Gen. Rick Baccus, who is being too nice to the 598 captured terrorists,” and “by decision to let the Red Cross put up posters reminding inmates they need only provide their interrogators with their name, rank and number.”<sup>15</sup> On 8 October 2002, Brigadier General Baccus was relieved of command of the Detention Center as part of a reorganization of the operations. This relief came just four days after the *Washington Times* report. On 11 October 2002, Major General Dunlavey requested permission for new counter resistance interrogation techniques.<sup>16</sup>

The Southern Command commander recommended approval of the changes to interrogation techniques to the Secretary of Defense that permitted the interrogator (an enlisted soldier) at Guantanamo Bay to determine if he should purposefully mislead a detainee that he “was from a country with a reputation of harsh treatment of detainees.” This seems to imply the use of a fear/coercion tactic was permitted if the interrogator thought the interviewee was being uncooperative. The approved changes also permitted the Officer in Charge of the Interrogation Section (can be a Lieutenant but most often an Army Captain) to determine if light and sound deprivation, isolation for up to 30 days, fear by intimidation (including use of dogs), removal of clothing, religious items and practices (forcibly shaving facial hair) were warranted. The Secretary of Defense approved these exceptions on 2 December 2002.<sup>17</sup>

MG Dunlavey’s request for exception document is most likely to have indirectly influenced behaviors of the actual MP and intelligence soldiers in the field. The request may have been generated to change interrogation techniques to clarify the ambiguous line in many policies written during 2002 (“to the extent appropriate and consistent with military necessity”). However, the result of changing techniques in one theater gave the soldiers in other theaters the idea that such practices were universally permitted and therefore legal and humane. Yet, it is clear that the intent was to apply the new interrogation techniques to detainees at Guantanamo Naval Base, Cuba only and that the policy makers believed they were in accordance with international and US law. While I have no intention to argue one way or the other concerning the legal implications of new techniques on non-POW or non-state actors, it does become problematic to apply the new standards to those clearly covered by one of the many Geneva Conventions. It is more likely the approving authorities believed the new policy

was limited to specific circumstances and/or group of captives and did not foresee it reaching other areas of operations.

Given the intent was to uphold American values, uphold standards, international and domestic laws, and maintain America's standing as an example for human rights but still win a war against terrorists and keep the homeland secure, it was necessary to weigh the value of collective security against individual rights (believed to be criminals and terrorists). Ostensively, the conflicting end was the security of the homeland and the preemptive nature of defending it. By adding "to the extent appropriate and consistent with military necessity" it appears we had limited our application of the humane treatment. It appears we suddenly allowed, albeit limited, some exceptions.

The migration of these practices such as the hooding of captives spread into the other areas of operations quickly. Soldiers were hooding each other during training that took place prior to the invasion. It is worthy of mention that these changes took place as early as post deployment but pre-conflict operations within the CENTCOM Theater of Operations. Lieutenant General Jones, AR 15-6 Investigator of Intelligence Activities at Abu Ghraib, found there were "misinterpretations of law or policy or resulted from confusion about what interrogation techniques were permitted." "At the time the Soldiers or contractors committed the acts, however, some of them may have honestly believed the techniques were condoned."<sup>18</sup>

Again, although soldiers in different areas may have applied Geneva Conventions differently, all policies stated that humane treatment was expected. Clearly it was the objective of the United States to win a war on terrorism while treating all detainees humanely. There may have been differences as to which Geneva Conventions or how the Convention on Torture applied but all the policies clearly stated that humane treatment was expected.

In view of the photos and court cases that seem to validate claims of mistreatment, one can hardly argue that violations did not take place. The military investigations noted that both crimes and violations of policies took place. In the "Report of the International Committee of the Red Cross (ICRC) on the Treatment by the Coalition Forces of Prisoners of War and Other Protected Persons by the Geneva Conventions in Iraq During Arrest, Internment and Interrogation" of January 2004 many concerns were documented. The report documented the findings of the ICRC's interviews and observations of POW and civilian internees "during the 29 visits in 14 places of detention throughout Iraq between 31 March and 24 October 2003."<sup>19</sup> The finding of both the ICRC and the US Military was that measures that had in the past been argued as coercion or inhumane treatments were used. Just a few of these measures, not the extremes, include holding captives without assigned numbers or documentation, denying

clothing, “exposing prisoners to cold, keeping them awake by subjecting them to loud noise and bright lights, and forcing them to stand in stressful positions and manipulating their diet.”<sup>20</sup>

Holding civilians without criminal charges would violate both US and International practice. Under the 4th Geneva Convention, civilian detainees (who are “under definite suspicion of activity hostile to the security of the Occupying Power” and if “absolute military security so requires”<sup>21</sup>) can be deprived of rights of communication, but it must be justified and returned as soon as possible. A specialist in detainee operations would have clearly understood this.

Our soldiers are taught to test their actions by asking themselves “If your contemplated actions were perpetrated by the enemy on US POWs would you believe such actions violated international or US laws?”<sup>22</sup> It appears from the investigations that the US soldiers questioned, believed that depriving prisoners of clothing, food and sleep was acceptable/legal in Iraq although it was in direct violation to their current Army regulations. It is implied they understood the practices were acceptable by openly mentioning their use in interrogation plans, reports, and within standing operating procedures. Lieutenant General Jones stated that a contributing factor in the abuse was a “lack of clear and concise guidance . . . coupled with the availability of information on Counter-Resistance Techniques used in other theaters.” MI officers who were specialized in human intelligence, specifically detainee operations, were not present to provide the needed guidance.

#### SPECIFIC DOCTRINE AND TACTICS, TECHNIQUES, AND PROCEDURES (TTP)

Lieutenant General Jones stated in his 5<sup>th</sup> major finding that “Abuses would not have occurred had doctrine been followed and mission training conducted.”<sup>23</sup> The report indicated basic Army and Joint doctrine served as an adequate guideline for operations in Operation Iraqi Freedom.

Documented within the investigations are findings that there are significant shortfalls of trained and experienced military police and human intelligence (interrogation) soldiers.<sup>24</sup> Inadequate means may have resulted in the confusion between one theater’s approved interrogation techniques and their use in the other theaters. Soldiers were often deployed from one theater of operations into another, or separate operations within one area with little retraining.<sup>25</sup> Soldiers migrated around taking practices from one situation to the next, even if those practiced should not have applied. It would have been prudent to have either used different soldiers or to have allowed for retraining after a deployment to Guantanamo. However, the lack of MI officers specializing in detainee operations led to looking for TTPs from experienced soldiers. The unit trained and responsible by doctrine for the Theater’s Joint

Interrogation (detention) Center (facility) was the 513<sup>th</sup> MI Brigade. To change the chain of command without extensive training for transfer of authority and/or leaving advisors in place is unadvisable. Having specialists who understood the nuisances of the different areas of operations such as those in the 513<sup>th</sup> would have afforded the 205<sup>th</sup> the guidance and leadership to prevent such violations. They would have ensured the unit Standard Operating Procedures (SOPs) and TTPs followed doctrine.

### **Cross-Leveling of Units and Personnel**

If not at the officer level, the Army has MI units and enlisted soldiers who specialize in specific disciplines and specific operations. At the time of the detainee abuses in Iraq, the 513<sup>th</sup> MI Brigade, the CENTCOM theater MI brigade, and its subordinate units were not deployed intact to Iraq. The preponderance of the 202<sup>nd</sup> MI Battalion, which is doctrinally responsible for Joint Interrogation Facilities within the theater, rotated home. The battalion was occupied with the rest of the theater. A sister unit, the 142<sup>nd</sup> MI Battalion, affiliated within the 513<sup>th</sup> MI Brigade's theater planning to run the second Joint Interrogation Facility, was operating in a detention facility in support of Iraqi Survey Group. Therefore, responsibility to fill the joint requirements and run HUMINT operations fell to the 205<sup>th</sup> MI Brigade (V Corps MI unit). The 205<sup>th</sup> MI Brigade's commander inherited from the 513<sup>th</sup> MI Brigade most of the reserve component MI elements deployed to support HUMINT and CI operations.

The "205<sup>th</sup> MI Brigade Commander did not assign a specific subordinate unit to be responsible for interrogations at Abu Ghraib and did not ensure that a MI chain of command at Abu Ghraib was established." <sup>26</sup>

### **Major Training Events**

The 513<sup>th</sup> MI Brigade, CENTCOM's Theater MI BDE, participated annually in Bold Knight or Southern Knight exercises with the objective of training MI and MP soldiers in detainee/interrogation operations. Each year the emphasis changed from either MI or MP as the primary lead. However, essential to the success of the exercise was cooperation of the participating units. Therefore, the 202<sup>nd</sup> MI Battalion and elements of the 11 associated reserve component (RC) units were trained annually according to doctrine on detainee operations to include screening, interrogation, document and media exploitation, and counter-intelligence operations. Under the current system, few of the same MI officers would have participated in these exercises on a regular basis. The RC officers, staying within an organization for much of their career would have been the most likely to have participated in multiple exercises. However, the 205<sup>th</sup> MI Brigade not the 513<sup>th</sup> MI Brigade conducted interrogation operations at Abu Ghraib.

The RC units were deployed to augment and therefore were not structured to effectively run any operation. Perhaps this is the reason the 205<sup>th</sup> MI Brigade did not subordinate the mission to any one command (Jones major finding stated above). Had the 202<sup>nd</sup> MI Battalion operated the facility, their SOPs and TTPs would have provided adequate guidance for the unit members. However, the MI officers would not necessarily have had the human intelligence and detention specialization as recommended by the investigations.

## **ANALYSIS OF SPECIALIST VS GENERALIST**

Officer Personnel Management System XXI (OPMS XXI) made changes that ensured it was responsive to the officer leadership and management challenges of this century.<sup>27</sup> The MI career model is driven by the command track model. Therefore, most MI officers complete training opportunities which make them competitive for commands and promotions. While MI officers are expected to be experts in the intelligence process, the system makes them excellent officers with only a very general understanding of the intelligence field. The typical MI officer career path does not create the specialists that the AARs, lessons learned, and investigations say are required.

## **MI OFFICER CAREER PATH**

As in most officer basic courses (OBC) the intent of MIOBC is to “fully educate officers on military operations and military life, and build a solid foundation for future education.”<sup>28</sup> The MIOBC course provides basic understanding of the MI process and the products associated with the MI staff officers, the S2 staff at the battalion and brigade levels. However, MI lieutenants graduating from MIOBC will typically serve in MI units at the tactical level or in INSCOM units serving in the Army Component at the Joint level. These positions employ the lieutenants in a variety of MI disciplines and do not reinforce the IPB process (the key S2 job taught in MIOBC). Generally MI lieutenants will serve 1-2 years in a position as they strive to obtain an opportunity to serve as a platoon leader in the MI units.

Most MI captains attend Career Captains Course in their 4<sup>th</sup> or 5<sup>th</sup> year of service. The objective of the basic branch qualification is to gain experience in leading soldiers and mastering the basic branch technical skills.<sup>29</sup> As defined in DA Pam 600-3, the MI Officer will complete any intelligence-related staff position in addition to a company or detachment command. Again this is hardly specializing in the areas of intelligence other than those required as a S2 or leader. Specialized functional area training in the MI disciplines is dependant on the individual officer's assignment which typically rotates every 1-2 years. Therefore, most officers will serve in 3-4 different jobs as an MI captain before taking command, only one of which may

have been within the S2 staff and few if any of these jobs would allow for specialization in any discipline.

All MI majors at the division and corps levels are within the operations career field and are trying to remain competitive for a battalion command. Therefore, these majors are looking for assignments as battalion S3 or XO to remain branch qualified and competitive for battalion command. Neither of these jobs will provide MI officers' specialization training within MI disciplines yet they will keep the officers branch qualified as MI within the operations career field.<sup>30</sup>

The MI Lieutenant Colonel (LTC) is required to serve at least 24 months in any LTC or higher MI coded billet.<sup>31</sup> To remain competitive for Senior Service College the officer typically serves in an LTC command. Many of these commands are at garrison, institutions or recruiting organizations which provide very little if any general intelligence training and no specific specialization. Most Division G2 positions are filled by MI officers who have completed or will complete an MI battalion command. The G2 is one of the most challenging and demanding jobs requiring intelligence skills; however, it still practices an MI process which is generalist in nature. While the most successful G2s will have specialized skills they will not know all the MI discipline specialties and will need to rely on a section of officers who are likely lacking in specialization.

#### FUNCTIONAL AREA 34, STRATEGIC INTELLIGENCE

The officer with a functional area of 34, strategic intelligence should have a goal to become technically competent in the strategic art of intelligence. They are usually assigned to echelons above Corps. According to the OPMS XXI Task Force, the intent of the functional areas was to address the problems of command and operational tracking. The functional areas were intended to meet the specialist related requirements/authorizations at the field grade levels (Combat Arms transitional billets).<sup>32</sup> However, the non-field grade and/or non strategic specialist positions within MI are not addressed. There will still be a void of officers specializing in intelligence who are available in the future force. The qualified FA 34 will be at the strategic level and will not necessarily have a thorough knowledge of any one discipline.

#### ANALYSIS - GENERALIST, S2, AND INTELLIGENCE DISCIPLINE SPECIALIST

As with other branches, the MI officer with an Operations Career Field will be a generalist. Having changed jobs every 1-2 years coupled with training, education and experience paths that are directly related to the employment of the land forces, the MI officer will not have any specific intelligence discipline expertise. On the rare occasion that an MI officer has served multiple assignments within an MI discipline (i.e., a human intelligence platoon leader, human



intelligence integration officer, active role in the theater level human intelligence exercise Bold Knight), he will not typically hold a specific functional area or skill identifier and therefore is not subject to assignments based on any specialized expertise. More typically, the officer who serves in MI specific assignments still has such varied discipline exposure that he is an MI generalist. (i.e., a signals intelligence platoon leader, a non-MI staff officer position within the MI battalion (for instance the S1), command of the interrogation company and the chief, analysis and control element). However, this is not to say that a functional area at the tactical level is needed. A mechanism for MI officer specialization and tracking assignments should be implemented. Most MI officers should not strive for command and operational assignments but discipline expertise, and such ambition should be rewarded. The model of MI officer training should steer towards specialization. Had this model been in place, the detainee centers would have had officers specializing in human intelligence (HUMINT) operations.

#### HUMINT AND COUNTERINTELLIGENCE (CI) SPECIALIZATION

“The success of both CI and HUMINT to satisfy the combat commander’s need for tactical HUMINT information has resulted in the perception throughout the Army, to include the MI community, that CI equals HUMINT collection, or CI and HUMINT are one and the same.”<sup>33</sup> This confusion is a result of the ratio of tactical human intelligence to counter (human) intelligence soldiers within most MI units as compared with the requirements. As commanders migrated some human intelligence collection missions to CI soldiers to compensate for this inequity, the division of labor began to blur. The Interrogation of Prisoners of War (IPW) soldier (now called Tactical HUMINT Collectors), lost both forces and focus. He is by doctrine responsible for much of the human intelligence collection requirements.

To meet the MI missions of post cold war, many MI requirements have been filled with any MI military occupational skill. Soldiers qualified in tactical HUMINT operations became a high demand low density asset. The HUMINT mission positions were filled by substituting CI and IPW soldiers to meet requirements irrespective of the real mission. The soldiers’ pre-deployment mission training began to look the same. Now that we have begun to refocus the CI soldier on countering the foreign intelligence activities and the tactical HUMINT collector (IPW soldiers) on all aspects of their mission, the divisions of labor have again become apparent. Doctrinal changes have begun.

The primary track for enlisted soldiers will now begin with all soldiers as 97E, Tactical HUMINT Collector. At skill level 20, most soldiers will continue to track in 97E HUMINT collection. Many, if not most, 97Es will receive foreign language skills training (and thus cultural

awareness) as sergeant or higher. A limited number will transition to 97B counterintelligence most without foreign language training.<sup>34</sup>

The specialized MI officer proficient in the HUMINT discipline will have a vast and varied number of tasks often requiring diverse skills. He should understand the distinct functions between CI and HUMINT collection. He should be capable of properly employing and supervising interrogation and detainee operations, human collection through source operations, media exploitation, counter adversary collection, personnel security screening operations, and linguist operations and that is just the beginning. As the Army and Joint community institutionalize the management of the HUMINT operations with a J2X and G2X, the need for the Army to provide a pool of officers specialized in coordinating their activities becomes more apparent. Again specialists, not just generalists, are necessary.

## CULTURAL AWARENESS

Culture is all elements that effect how people think and what drives them to action (including religion, language, attitudes, customs, mores, values, practices, biases, perceptions, and assumptions). Understanding that in the context of how it will effect our operations is very important. In the DoD, the cultural programs are linked to the study of a foreign language. While foreign language study may arguably be the most important step to cross-cultural communication, it does not in and of itself equal regional expertise.<sup>35</sup>

The Secretary of the Army is the executive agent responsible for the Defense Foreign Language Program and through soldiers who train in foreign languages provides DoD with the expertise in specific cultures.<sup>36</sup> Again, having MI officers who speak a foreign language does not mean they are regional experts in areas where that language is spoken. Foreign language proficiency is a critically short skill in the MI officer Corps and the problem should be addressed. However, the lack of regional expertise may prove to be a larger concern.

"Consensus seems to be building among them (*soldiers*) that this conflict was fought brilliantly at the technological level but inadequately at the human level. The human element seems to underlie virtually all the functional shortcomings chronicled in official reports and media stories: information operations, civil affairs, cultural awareness, soldier conduct, and most glaringly, intelligence, from national to tactical." <sup>37</sup>

Cultural awareness was one of the primary weapons the Army wanted to use to win the hearts and minds of Iraq's people. All cultures have three components: material base, institutional base and a value base. The United States must understand how the rest of the

world perceives its culture and action around the globe. Cultural engagement is vital to promote understanding. All aspects of culture not just foreign language must be studied and mastered.

The DoD must have a comprehensive program that includes all areas of regional expertise and cultural perspectives to include all elements that effect how a person thinks and what drives them to action.

## **RECOMMENDATIONS**

Department of the Army needs to implement a mechanism for MI officer specialization. Most MI officers, as many as 75%, should receive specialized training in either a specific MI discipline or regional area expertise. Tracking appropriate assignments based on that discipline or regional expertise should be the norm not the exception. Most MI officers should not strive for command and operational assignments but specialized expertise and such ambition should be rewarded. The model of MI officer training should steer towards specialization at the Captains grade. As few as 25% in the MI officer corps should be tracked as generalists with G2 or all source intelligence operations expertise. Those who have served in combat arms units or as S2 in those units would be likely candidates for general intelligence and the operations career field.

Department of Army must fully invest in the development of regional expertise and cultural perspectives by initiating the following: Integrate cultural perspectives needs into operational planning; Integrate cultural perspectives training into operational units; Improve career paths, promotions, and numbers of regional experts (FAO, linguists, and regional analysts); Increase the depth of regional expertise within the department beyond the traditional view of a linguist; Ensure that culture is seen as integral to the accession, training, and development of MI personnel.

Department of the Army must ensure that the echelon which is doctrinally responsible for a mission within the theater of operation has time to train those who will execute the mission. They should either allocate adequate time for the transfer of authority or provide advisors to remain in place. If the Army continues to have few MI units and enlisted soldiers who specialize in specific disciplines and specific operations and continues to train and employ those specialized experts at only certain echelons ; it will continue to have high demand and low density for those elements. Those elements will need to be either retained in theater as other modular task force elements are replaced or have time to properly train others. There must be a mechanism to ensure the specialization and expertise remains while the mission continues.

## **CONCLUSION**

Certainly no single cause resulted in the Abu Ghraib abuses. However, making policy changes of such magnitude that they dramatically changed the tactics, techniques, and procedures at the soldier level was a contributing cause. By allowing the questioning of policies that are based on international treaties, laws and common practices of tradition at such a time in our history, we were opening the door to the strategic consequences of any resulting actions. While this is accepted practice of the strategic art, it should not have been allowed to the levels that it was at such a critical time. To allow enlisted soldiers and inadequately trained non-field grade officers to determine if the use of uncommon practices is applicable, can and did result in misinterpretations with dire consequences. Most importantly, the international backlash for such a strategic decision should have been anticipated. Further, task organizing the units outside of their level of employment and building a professional officer force without specialized MI discipline expertise are some of the other causes. Lack of specialized training is sighted in numerous lessons learned and reports such as those investigating detainee abuses. The Army should revise its intelligence leaders' training to produce more specialized intelligence professionals while maintaining some generalized intelligence operations officers.

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## ENDNOTES

<sup>1</sup> MG George R. Fay, *AR 15-6 Investigation of the Abu Ghraib Detention Facility and the 205<sup>th</sup> Military Intelligence Brigade* (Washington, D.C., U.S. Department of the Army), available from <[http://www.au.af.mil/au/awc/awcgate/army/abu\\_ghraib\\_fay.pdf](http://www.au.af.mil/au/awc/awcgate/army/abu_ghraib_fay.pdf)> ; Internet; accessed 10 October 2004.

<sup>2</sup> Charles de Secondat, *Baron de Montesquieu's The Spirit of the Law*, translated by Thomas Nugent, revised by J.V. Prichard (London: G.Bell and Sons, LTD, 1914), available from <[http://www.constitution.org/cm/sol\\_10.htm](http://www.constitution.org/cm/sol_10.htm)> ; Internet; accessed 10 October 2004.

<sup>3</sup> Jean J. Rousseau, *The Social Contract, Principles of Political Rights*, translated by G.D.H. Cone (1762), available from <[http://www.constitution.org/jjr/socon\\_01.htm#004](http://www.constitution.org/jjr/socon_01.htm#004)>; Internet; accessed 10 October 2004.

<sup>4</sup> Lieber, *The Lieber Code: Instructions for the Government of Armies of the United States in the Field by Order of the Secretary of War* (Washington, D.C.: Secretary of War, 24 April 1863), available from <<http://phma.hn.org/lieber.html#sec4>>; Internet; accessed 10 October 2004.

<sup>5</sup> Department of the Army, *Intelligence Interrogation*, Field Manual 34-52 (Washington, D.C.: U.S. Department of the Army, 28 September 1992), 1-8.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

<sup>8</sup> Fay, 112.

<sup>9</sup> President of the United States, George Bush, "Detention, Treatment, Trial of Certain Non-Citizens in the War Against Terrorism," Military Order of November 13, 2001. Military Order No.1, Washington, D.C., White House Office of the Press Secretary, 13 November 2001.

<sup>10</sup> Ibid.

<sup>11</sup> Secretary of Defense, Donald Rumsfeld, "Status of Taliban and Al Qaida," Memorandum for Chairman of the Joint Chiefs of Staff, available from <<http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB127/02.01.19.pdf>>; Internet; accessed 10 October 2004.

<sup>12</sup> White House Fact Sheet "Status of Detainees at Guantanamo," Washington, D.C., White House Office of the Press Secretary, 7 February 2002.

<sup>13</sup> Ibid.

<sup>14</sup> Ibid.

<sup>15</sup> Bill Gertz and Rowan Scarborough, "Inside the Ring", 17 October 2002, *The Washington Times*, available from <<http://www.washtimes.com/archive>>; Internet; accessed 10 October 2004.

<sup>16</sup> MG Michael Dunlevey, Memorandum for Commander SOUTHCOM, "Counter-resistance Strategy," 11 October 2002.

<sup>17</sup> Southern Command, "Counter-Resistance Techniques to Aid in the Interrogation of Detainees at Guantanamo Bay," 27 November 2002 action memo from DoD General Counsel, for the Secretary of Defense - declassified 18 June 2004, available from <<http://www.au.af.mil/au/awc/awcgate/dod/d20040622doc5.pdf>>; Internet; accessed 10 October 2004.

<sup>18</sup> LTG Anthony R. Jones, "AR 15-6 Investigation of the Abu Ghraib Prison and the 205<sup>th</sup> Military Intelligence Brigade", available from <[http://www.au.af.mil/au/awc/awcgate/army/abu\\_ghraib\\_fay.pdf](http://www.au.af.mil/au/awc/awcgate/army/abu_ghraib_fay.pdf)> ; Internet; accessed 10 October 2004.

<sup>19</sup> International Committee Red Cross, "Report of the International Committee of the Red Cross (ICRC) on the Treatment by the Coalition Forces of Prisoners of War and Other Protected Persons by the Geneva Conventions in Iraq During Arrest, Internment and Interrogation," 7 May 2004, available from <<http://www.icrc.org/Web/eng/siteeng0.nsf/html/5YRL67>> ; Internet; accessed 10 October 2004.

<sup>20</sup> "Prisoner Abuse, Interrogation, Torture and the Law," available from <<http://www.crimesofwar.org/>> ; Internet; accessed 10 October 2004.

<sup>21</sup> Ibid.

<sup>22</sup> *Intelligence Interrogation*, 1-9.

<sup>23</sup> Jones, 5.

<sup>24</sup> Department of the Army, *Detainee Operations Inspection Report Investigation*, Inspector General Report (Washington, D.C.: Department of the Army, 21 July 2004),

<sup>25</sup> Fay, 8.

<sup>26</sup> Jones, 17.

<sup>27</sup> Department of the Army, *OPMS XXI Final Report*, (Washington, D.C.: Chief of Staff of the Army, 9 July 1997), 1-1.

<sup>28</sup> Department of the Army, *Commissioned Officer Development and Career Management*, DA Pamphlet 600-3, Washington, D.C.: U.S. Department of the Army, 1 October 1998), 10.

<sup>29</sup> Ibid.

<sup>30</sup> Ibid., 38.

<sup>31</sup> Ibid., 109.

<sup>32</sup> *OPMS XXI Final Report*, xv.

<sup>33</sup> CW3 Larry Norris, "Transforming Counterintelligence," *Military Intelligence Professional Bulletin*: (October-December, 2003): 2.

<sup>34</sup> Ibid. 5-7.

<sup>35</sup> Department of Defense, *Defense Language Transformation Study (FOUO)* Washington, D.C. <<http://www.defenselink.mil/prhome/docs/studyinvesting.doc>>; Internet; accessed 14 February 2005

<sup>36</sup> Department of Defense Directive, Number 5160.41 (Washington, DC, 2 Aug 77)

<sup>37</sup> MG Robert H. Scales Jr., "Humans Vs. Technology," *The Washington Times*, 3 February 2005, 21.





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